

**City of Milton-Freewater
City Council Minutes**

The Council of the City of Milton-Freewater met Monday, February 28, 2011 at 7:00 p.m. in the Albee Room of the Library.

The following members were present: Mayor Lewis Key, Councilors Orrin Lyon, Sam Hopkins-Hubbard, Jeff Anliker and Steve Irving.

Councilors Brad Humbert and Ed Chesnut were absent.

Staff members present were: City Manager Linda Hall and City Recorder Leanne Steadman.

Citizens present were: Tara Patten, Steven Patten, Chris Wallace, Kelly Skramstad, Delaina Holman, Shelly Torrey, Debbie Scudder. Also present were Queen Taylor Skramstad, Princess Kendra Torrey and Princess Joycelin Munden of the Milton-Freewater Pioneer Posse.

Press member Melanie Hall of the Valley Herald was present.

CONSENT CALENDAR ITEMS:

The consent calendar items consisted of council minutes and executive session minutes from the February 14, 2011 meeting and accounts payable from February 9th – 22nd, 2011.

Councilor Anliker motioned to approve the consent calendar items. Councilor Hopkins-Hubbard seconded the motion which passed unanimously.

PRESENTATION:

PIONEER POSSE – APPRECIATION OF SUPPORT FOR COURT

Chris Wallace, one of the advisors for the Pioneer Posse Court, introduced the 2011 Pioneer Posse Court along with the other advisor Debbie Scudder. Ms. Wallace reviewed the activities that the Pioneer Posse Court performed last year. She listed how many days they spent on the road traveling along with all the other various events they perform and speak at. She said the schedule for the girls this year would be very similar to last year. At the request of the Umatilla County Commissioners, they have attended the Oregon State Fair the past two year. Queen Taylor Skramstad, Princesses Kendra Torrey and Joycelin Munden gave a brief presentation which included what activities they have been involved in, their hobbies and a description of their equine that they partner with in the parades and Posse Court performances. They expressed their gratitude for the city council's financial support of their court activities.

Mayor Key presented the Pioneer Posse Court with a community support check for \$1,500.

Manager Hall said she was very proud of the job that the Pioneer Posse girls did representing Milton-Freewater and knows they will continue to do so.

BUSINESS ITEMS:

RESOLUTION NO. 2197, AUTHORIZING SIGNATURE TO AMENDMENT #1 OF THE COMMUNITY DEVELOPMENT BLOCK GRANT #HR905 AND OREGON HOUSING AND COMMUNITY SERVICES AGREEMENT #2001 FOR ADDITIONAL GRANT FUNDING IN THE AMOUNT OF \$18,970

City Recorder Leanne Steadman reported this request was for an amendment to the Community Development Block Grant (CDBG) Residential Rehabilitation program for additional grant funds in the amount of \$18,970. The City of Milton-Freewater and City of Pendleton partnered on a grant application

and was awarded \$275,330 to be split 50/50. The grant funds are eligible to low to moderate income citizens which can be used for a variety of upgrades and conservation measures to their homes. The CDBG Program Manager, David Vanderlip, and the city's Conservation Specialist, Pat Didion have been working together to coordinate conservation rebates to stretch the grant funds as far as possible. The State of Oregon representative contacted Greater Eastern Oregon Development Corporation (GEODC), who the city subcontracts with to oversee the grant program, and asked if there was a need for additional grant funding. With the intent of offering and helping as many eligible citizens as possible, GEODC said yes. The city has been allocated an additional \$18,970 which would make the total grant amount \$294,300. Staff recommended the acceptance of this additional grant funds.

Councilor Lyon motioned to adopt Resolution No. 2197, Resolution Authorizing the Mayor and City Manager's signature to Amendment #1 of the CDBG Residential Rehabilitation Grant Agreement #HR905 and OHCS No. 2001 for Additional Grant Funding of \$18,970. Councilor Anliker seconded the motion which passed unanimously.

Manager Hall stated that Ms. Steadman had done an excellent job overseeing this grant for the City. It was a very large grant, and as such had required a single audit review. Due to Ms. Steadman's diligent attention to detail, the grant audit passed with no findings and an exceptional rating.

RESOLUTION NO. 2198, AUTHORIZING SIGNATURE TO AMENDMENT TO AGREEMENT REGARDING THE SOUTH HILL DEVELOPMENT WITH THE KEY FAMILY, LLC

Manager Hall explained that this agenda item was for an amendment to an agreement dated August 19, 1998 that was made with the Key Family regarding the South Hill development. The agreement was established at the time of the recruiting process for Sykes Enterprises. The Key Family was and still is the majority owner of the South Hill. At the time, Sykes placed demands upon the city in order to locate in Milton-Freewater. The property they were interested in locating to was owned by the Key Family. The city had a lot of hard work in front of them to successfully recruit Sykes. The land had to be purchased and annexed into the city limits. An Urban Renewal Plan amendment had to take place and adequate infrastructure improvements were needed in order to service the property. All of this took place but as part of the land negotiation, an agreement was made with the Key Family for future development of the South Hill. There were several conditions agreed upon with the majority of them being accomplished by the city. The proposed amendment has to do with the paving of Miller Blvd. The original intent of Miller Blvd. was for it to run north and south and its entrance would be off Highway 11 to the intersection with Key Blvd. Thanks to the funding of House Bill 2001, the city is now able to accomplish a long term goal of improving Nichols Canyon access road that would serve the South Hill property without having to use Highway 11 as an entrance. Another reason for the amendment is due to the Oregon Department of Transportation (ODOT) restricting the number of entrances they will allow onto Highway 11. The amendment clarifies these updated conditions so both the Key Family and City would have a clear understanding and plan to meet the final agreed upon condition. Manager Hall said that Mayor Lewis Key was part of the Key Family agreement and as such that the recommended Resolution was drafted for Council President Orrin Lyon's signature due to the conflict of interest.

At which time Mayor Key removed himself from the council panel and took a seat in the audience. Council President Lyon proceeded to run the meeting for the remainder of the agenda item discussion.

A discussion ensued regarding the plans for the South Hill, Miller Blvd. and Nichols Canyon and how these improved roads would be accessed and how they would tie in together.

Councilor Anliker motioned to adopt Resolution No. 2198, Resolution Authorizing Signature to Amendment #1 to Agreement Dated August 19, 1998 with the Key Family Enterprises LLC. Councilor Irving seconded the motion which passed unanimously.

MANAGER'S REPORT

Manager Hall gave an update to the areas ambulance service provider, Milton-Freewater Emergency Medical Services (MF-EMS) who is the Umatilla County's franchise holder of Ambulance Service Area 4

(ASA 4). The owner of MF-EMS, Rick Saager, has given the Umatilla County Commissioners, through his attorney, his 60 day notice of vacating their franchise obligation effective May 1, 2011. Manager Hall has spoken to Umatilla County Commissioner Larry Givens who is taking the lead on this issue. Commissioner Givens has expressed that the franchise would be remanded back to an Ambulance Advisory Committee. Members of the committee were not known at the time of the discussion. He has also expressed that the County can form a taxing district for ASA on their own volition. Manager Hall had several concerns about a taxing district being formed. Depending on the amount of the tax per thousand it could throw the tax base into compression. She is also concerned about the time line it would take to form a district. She expressed a plan needs to be in place as of May 1, 2011 when MF-EMS steps down. She has spoken to several citizens who mistakenly think that the City of Milton-Freewater is in charge of providing the ambulance service. She has explained to these citizens that it is a County franchise and they are charged with making sure there is ambulance service in the Ambulance Service Areas that they have jurisdiction over. There has been letters and publications produced that reference the City of Milton-Freewater as not helping or contributing to MF-EMS. This simply is not true. The City does not charge MF-EMS and MF Rural Fire, who is the same owner, any dispatching fees that roughly come to \$70,000 - \$75,000 which is borne by the City on an annual basis.

Councilor Lyon said he understood that the City used to pay Walla Walla to come to Milton-Freewater to provide ambulance service.

Manager Hall said approximately 30 years ago there was a minimal stipend levy assessed which basically covered the cost of Walla Walla to obtain their ambulance license in Oregon.

Councilor Lyon felt the owner of MF-EMS was giving the wrong impression by stating that the City of Milton-Freewater was unwilling to help. He recommended that a fact sheet about the franchise be mailed out to the citizens.

Manager Hall suggested putting an article in the next City's Newsletter which is set to go out the first of April.

Melanie Hall of the Valley Herald requested a fact sheet be provided for publication.

Councilor Anliker felt that the County Commissioners should already have a plan in place. He remembered the City Attorney's legal opinion that it was illegal for the city to pay any funds towards the ambulance service and asked how it was done in the past by paying Walla Walla.

Manager Hall said that Walla Walla was not a private business and they were non-profit unlike MF-EMS who is privately owned and a for profit business.

Councilor Anliker felt by sending out a publication in April was too late.

Councilor Hopkins-Hubbard recommended that Manager Hall speak to Commissioner Givens and request to have at least two citizens of Milton-Freewater sit on the Ambulance Advisory Committee. He felt there needed to be representation from this area.

Councilor Hopkins-Hubbard volunteered and it was the consensus of the council for him to represent the council when he spoke to Rick Saager, owner of MF-EMS.

Councilor Anliker expressed the importance of creating a good working relationship between the City, County and businesses to work out solutions to issues that arise.

Councilor Lyon suggested that Manger Hall draft a letter to Commissioner Givens expressing the urgency of this matter.

Mayor Key requested getting the County's timeline of the Ambulance Advisory Committee and a list of the members.

Manager Hall reported at the last meeting that the Milton-Freewater Chamber of Commerce would like the city to co-host an open house with them. The open house has been scheduled for Thursday, March 31, 2011 from 5:00 p.m. to 7:00 p.m. This will be a meet and greet session with the Chamber of Commerce representatives, Council members and the City Manager.

Councilor Irving said there would be some local businesses there as well.

COUNCIL ANNOUNCEMENTS

Councilor Anliker announced he and Councilor Hopkins-Hubbard attended the Umatilla County Planning Commission's Public Hearing on February 24, 2011. The councilors presented a letter that was drafted regarding the Umatilla County Development Code for Commercial Wind Energy Generation Facilities as a result from the last council meeting agenda discussion. They felt Umatilla County Planning Commissioner Reeder did a great job of running the meeting. The councilors reported the items expressed in the letter from the city were addressed. The socioeconomic language that was originally slated to be removed will remain in the code. The city had asked for a 15 mile set back of wind turbines and 2 miles will be proposed in the final code amendment. Even though there is a big difference between 15 miles and 2 miles, this is at least several times the distance than it was originally written for. The starting point that begins the setback is being proposed to change from the city limits to the City's Urban Growth Boundary. The scenic view shed from Hwy 204 still needs to be expressed as being worthy of protection. As Councilor Anliker stated it was in line of Goal 9 as having a 50 year urban growth lands inventory. The following topics were also discussed in the meeting; noise produced from the wind turbines and the requirement of a third party performing a noise study, the requirement of wind companies having a contract or intent to sell contract with a power company prior to a wind farm being erected and the restriction and lack of access to roads that once used to be public. Overall the councilors felt the meeting was very good and productive.

Manager Hall shared a concern she received from a citizen. The concern was that the County Commissioners would not approved or would change the recommended code after the Planning Commission has gone to all the work of getting citizen input and would end up at square one.

Councilor Hopkins-Hubbard announced the next Public Hearing before Umatilla County Commissioners is scheduled for Thursday, March 17, 2011. He hoped many residents of Milton-Freewater would attend the meeting.

There being no further business the meeting was adjourned to an Executive Session pursuant to 192.660(2)(h) to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed at 8:22 p.m.

The council returned to open session at 8:37 p.m. No further action was taken therefore the meeting was adjourned at 8:38 p.m.

Lewis S. Key, Mayor